1974. No. 87 **[C]**

EDUCATION

Teachers' Salaries and Allowances

REGULATIONS, DATED 16TH MAY 1974, MADE BY THE DEPARTMENT OF EDUCATION UNDER THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

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The Department of Education, hereinafter called "the Department", in pursuance of the powers vested in it by Articles 57 and 125 of the Education and Libraries (Northern Ireland) Order 1972(a), hereinafter referred to as "the Order", and of all other powers enabling it in that behalf, and after consultation with the Department of Finance, hereby makes the following Regulations:—

INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Teachers' Salaries Regulations (Northern Ireland) 1974 and shall be deemed to have come into operation on 1st April 1974.

Regulations revoked

2. The Regulations set out in Schedule 5 are hereby revoked.

Definitions

3.—(1) In these Regulations

"approved" means approved by the Department for the purposes of the context;

"assistant teacher" means a qualified teacher who is not a principal;

"board" means an education and library board established under Article 3 of the Order;

"employing authority" means an education and library board or, in the case of a school not under the management of an education and library board, the managers of the school;

"Order" means the Education and Libraries (Northern Ireland) Order 1972;

(a) S.I. 1972. No. 1263 (N.I. 12).

"qualified teacher" means a teacher who is recognised as a qualified teacher in the school in which he is employed;

"recognised" means recognised by the Department for the purposes of the context;

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Department by the education and library board or the managers of a school or schools;

"temporary teacher" means a full-time teacher in respect of whose employment an agreement is not required under Article 58 of the Order;

"unqualified teacher" means a teacher who is not eligible for recognition as a qualified teacher in the school in which he is employed;

"working day" means a day on which a school is in operation or such other day as the Department may determine to be a working day for the purposes of these Regulations;

"1972 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1972(**b**).

(2) In these Regulations, except where otherwise provided—

(*a*) "allowance" means an allowance payable under these Regulations;

(*b*) "salary" shall not, except in Regulations 30 to 32 and 35, include any allowance under Regulations 24 or 25 or compensation allowances payable under the Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(**c**) or any Regulations superseding those Regulations; and

(*c*) the rates indicated for salaries, allowances and increments are rates per annum.

(3) A grammar school containing a preparatory department in addition to a secondary department shall be regarded as a single school for the purposes of these Regulations.

(4) Other expressions to which meanings have been assigned in the Nursery Schools Regulations (Northern Ireland) 1973(**d**), the Nursery Classes in Primary Schools Regulations (Northern Ireland) 1973(**e**), the Primary Schools (General) Regulations (Northern Ireland) 1973(**f**), the Handicapped Pupils and Special Schools Regulations (Northern Ireland) 1973(**g**), the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973(**h**), shall have for the purposes of these Regulations the same respective meanings in relation to the schools to which those Regulations respectively apply.

Application

4.—(1) These Regulations shall apply to teachers employed in grant-aided schools other than technical intermediate schools.

(2) In the Regulations which follow, except where otherwise indicated, "teacher" means a full-time qualified teacher.

(**b**) S.R. & O. (N.I.) 1972, No. 30; 1972, No. 245; 1973, No. 90.
(**c**) S.R. & O. (N.I.) 1972, No. 31; 1972, No. 93.
(**d**) S.R. & O. (N.I.) 1973, No. 400.
(**e**) S.R. & O. (N.I.) 1973, No. 401.
(**f**) S.R. & O. (N.I.) 1973, No. 402.
(**g**) S.R. & O. (N.I.) 1973, No. 390.
(**h**) S.R. & O. (N.I.) 1973, No. 403.

PLACING OF TEACHERS ON THE SALARY SCALES

Salary scales

5. The scales of salaries for teachers shall be those set out in Schedule 2.

Placing on scales

6. A teacher shall be placed on the appropriate salary scale in accordance with the provisions of Schedule 4, and Part II of this Schedule shall apply to a teacher who does not come within the provisions of Part I of the Schedule.

Appropriate salary scales

7. The appropriate salary scale—

(*a*) for a principal shall subject to the provisions of Regulation 13 be determined in accordance with Regulation 21 and Part III of Schedule 2;

(*b*) for a vice-principal or second master/mistress shall subject to the provisions of Regulation 13 be determined in accordance with Regulation 21 and Part II of Schedule 2;

(*c*) for an assistant teacher, other than a vice-principal, a second master/mistress, a senior teacher, or a teacher appointed to a post on any of the scales 2 to 5, shall be scale 1.

Teachers appointed to a post on any of the scales 2 to 5 or as senior teachers

8. The number of teachers in a school who may be paid on any of the scales 2 to 5 and on the senior teacher scale shall be determined in accordance with the provisions of Regulation 22, and also, in the case of senior teachers, in accordance with the provisions of Regulation 18, provided however that:

(*a*) the scale score for primary schools and special schools shall be used in respect of a distribution of posts on scales 2 to 5 as set out in Part I or Part II, as appropriate, of Schedule 3;

(*b*) subject to the provisions of Regulation 22(6), the limitation indicated in Part III of Schedule 3 as to the scales on which assistant teachers, other than vice-principals and second masters/mistresses, in secondary schools may be paid shall apply, provided however that a teacher who at the date of these Regulations is on a scale above the highest scale to which the school is entitled by virtue of its points category shall continue on that scale so long as he continues in the same post.

9. Subject to the provisions of these Regulations and in the case of teachers in primary schools to the provisions of the Primary Schools (General) Regulations (Northern Ireland) 1973, the employing authority may appoint to any of the assistant teacher scales 2 to 5 heads of departments, teachers undertaking special responsibility or special work of an advanced character and other teachers in special circumstances, and shall determine on which of the assistant teacher scales 2 to 5 a teacher shall be placed and the duties which may be attached to each post carrying any such scale.

10. Where a teacher is appointed to a post of senior teacher in accordance with the provisions of these Regulations, the employing authority shall determine the duties which shall be attached to each such post.

11. Unless the Department shall approve otherwise, the employing authority of a school shall appoint to a post on one of the scales 2 to 5 where a post on one of these scales has become vacant, a teacher serving in the school who is in receipt of a compensation allowance under the Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972 or the Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972(i) or any Regulations superseding those Regulations.

Rate of salary

12. When a teacher's rate of salary has been determined as provided elsewhere in these Regulations, the amount thus determined shall where necessary be rounded to the nearest whole pound, an amount of 50p being rounded up.

PRINCIPALS, VICE-PRINCIPALS, SECOND MASTERS/MISTRESSES AND SENIOR TEACHERS

Salary protection for certain teachers

13. Where a points category determined in accordance with sub-paragraph 1(*a*) or 1(*b*) of Regulation 21 places a school in a lower category than that applicable in the immediately preceding period, a principal, vice-principal or second master/mistress employed in such school and who was employed in the school in the same capacity in the immediately preceding period shall be paid on the scale appropriate to the points category immediately above the lower category for so long as the school remains in that lower category.

Principals: Additional provisions relating to scales and allowances

14.—(1) The scales for principals of primary schools shall apply also to principal teachers in nursery schools.

(2) Subject to the provisions of Regulation 33 an unqualified teacher serving as principal—

(*a*) in a primary school, shall receive in addition to his salary under Regulation 33 or 34(1) an allowance of £160;

(*b*) in a special school, shall receive in addition to his salary under Regulation 33 an allowance of such amount as the Department may approve.

Definition

15. For the purposes of Regulations 16 to 18 "points category" means the points category as determined in accordance with Regulation 21.

Vice-principals

16.—(1) A vice-principal shall be appointed in a primary, secondary or special school with a points category exceeding 150.

(2) In a special school with a points category exceeding 139 but not exceeding 150, a vice-principal may be appointed if the Department so approves.

(i) S.R. & O. (N.I.) 1972, No. 279.